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09/783,129	02/15/2001	Dong-seek Park	Q58599	1492

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EXAMINER

TON, ANTHONY T

ART UNIT	PAPER NUMBER
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2661

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/783,129

**Applicant(s)**

PARK ET AL.

**Examiner**

Anthony T Ton

**Art Unit**

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date: _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>6, 7, and 9</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the **second paragraph** of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. **Claims 7 and 9** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**a) In Claim 7:**

- recites the limitations "**the previous frame**" in **line 5**. There are insufficient antecedent basis for these limitations in the claim.
- recites the limitations "**the next header information**" in **line 6**. There are insufficient antecedent basis for these limitations in the claim.
- recites the limitations "**the initial header information**" in **line 8**. There are insufficient antecedent basis for these limitations in the claim.

**b) In Claim 9:**

- recites the limitations "**the next header information**" in **lines 6-8**. There are insufficient antecedent basis for these limitations in the claim.
- recites the limitations "**the initial header information**" in **line 9**. There are insufficient antecedent basis for these limitations in the claim.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. **Claims 3, 4 and 8** are rejected under 35 U.S.C. 102(e) as being anticipated by **Doshi et al.** (US Patent No. 5,936,965).

a) **In Regarding to Claim 3: Doshi et al. disclosed** a wireless packetization method in a radio transmitting/receiving system for transmitting and/or receiving multimedia data in a wireless environment, comprising the steps of:

adding a length field and a length indicator field, wherein the length field indicates the length of data in a data region and the length indicator field identifies the length of the length field on a multiplex (MUX) layer where the multimedia data are multiplexed into predetermined units of header information (*see col.2 lines 5-39 and col.13 line55 – col14 line 7*).

b) **In Regarding to Claim 4:** **Doshi et al. disclosed** a wireless packetization method in a radio transmitting/receiving system for transmitting and/or receiving multimedia data in a wireless environment, comprising the steps of:

adding a length field and a length indicator field, wherein the length field indicates the length of data in a data region and the length indicator field identifies the length of the length field on a multiplex (MUX) layer where the multimedia data are multiplexed into predetermined units of header information (*see col.2 lines 5-39 and col.13 line55 – col14 line 7*); and

forming a predetermined protocol frame by adding error checking or protection codes to both the length field and the length indicator field (*see col.6 lines 28-33 and col.15 lines 3-5*).

c) **In Regarding to Claim 8:** The claimed subject matters disclosed in this claim are the same as that in the Claim 4. Therefore, the rejections in the Claim 4 would apply to this claim as an apparatus as taught.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1 and 2 are rejected** under 35 U.S.C. 103(a) as being unpatentable over **Stacey et al.** (US Patent No. 6,590,909) in view of **Doshi et al.** (US Patent No. 5,936,965).

a) **In Regarding to Claim 1: Stacey et al. disclosed** a wireless packetization method in a radio transmitting/receiving system for transmitting and/or receiving multimedia data in a wireless environment, comprising the steps of:

dividing multimedia data-related header information into one portion and a plurality of portions, respectively (*see Fig.10: SSCS Packet Header*); and

adding error checking or protection codes to each of the divided header information (*see col.7 line 57 – col.8 line 21*).

**Stacey et al. failed to explicitly disclose** the transmitting/receiving system is a wireless system.

**Doshi et al. explicitly disclosed** such a wireless transmitting/receiving system (*see Fig.1 and col.3 lines 33-45*).

**It would have been obvious** to one of ordinary skilled in the art can employ such a wireless transmitting/receiving system throughout the ATM communications system of Stacey et al., as taught by Doshi et al, in order to provide a multiple service in different platforms, **the motivation being** to provide enhanced services of Stacey et al. in both an ATM network and a wireless network.

b) **In Regarding to Claim 2: Stacey et al. further disclosed** the wireless packetization method according to claim 1, wherein the error checking or protection codes are cyclic redundancy codes (CRC) (*see col.7 line 57 – col.8 line 1*).

6. **Claims 5 and 6 are rejected** under 35 U.S.C. 103(a) as being unpatentable over **Doshi et al.** (US Patent No. 5,936,965) in view of **Kurobe et al.** (US Patent No. 6,233,251).

a) **In Regarding to Claim 5: Doshi et al. disclosed** all aspects of the claim 5 as set forth in claim 4.

**Doshi et al. failed to explicitly disclosed** wherein the error protection codes comprising: a first error protection code for error-protecting the length indicator field in the header information; and a second error protection code for error-protecting the length field

**Kurobe et al. disclosed** such the error protection codes (*see col.28 lines 27-50; and lines 51-60*).

**It would have been obvious** to one of ordinary skilled in the art can employ such error protection codes comprising: a first error protection code for error-protecting the length indicator field in the header information; and a second error protection code for error-protecting the length field throughout the variable length mode protocols multiplexed over a common bytestream of Doshi et al., as taught by Kurobe et al, so that multiplexed frames can be checked properly, **the motivation being** to make of Doshi et al. more reliable.

b) **In Regarding to Claim 6: Doshi et al. and Kurobe et al. disclosed Doshi et al. disclosed** all aspects of the claim 6 as set forth in claims 4 and 5.

**Both Doshi et al. and Kurobe et al. failed to explicitly disclosed** wherein the first error protection code and the second error protection code are comprised of 4 bits or 8 bits for controlling an error of the header-divided region.

**It would have been obvious** to one of ordinary skilled in the art can provide such 4 bits or 8 bits throughout the multiplex transmission method of **Kurobe et al.** as a design choice, the motivation being to control data information through a communications network more efficient and reliable.

7. **Claims 7 and 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kurobe et al.** (US Patent No. 6,233,251) in view of **Doshi et al.** (US Patent No. 5,936,965).

a) **In Regarding to Claim 7: Kurobe et al. disclosed** a method for decoding a wireless packet by receiving a packet in which error protection codes are added to one portion and a plurality of portions of header information, respectively, on a wireless multiplex (MUX) sub-layer in a multimedia data transmitting system, comprising the steps of:

discarding the previous frame in a case where there is some error and checking a second error protection code added to the next header information in a case where there is no error, when a first error protection code added to the initial header information is checked (*see col.28 line 61- col.29 line 2*); and

transmitting data to an upper layer in a case where there is no error and transmitting a blank data block to the upper layer in a case where there is some error, when the second error protection code is checked (*see col.28 lines 51-60*).

**Kurobe et al. failed to explicitly disclose** the wireless multiplex (MUX) sub-layer in a multimedia data transmitting system

**Doshi et al. explicitly disclosed** such a wireless multiplex (MUX) sub-layer in a multimedia data transmitting system (*see Fig.1 and col.3 lines 33-45*).

**It would have been obvious** to one of ordinary skilled in the art can employ such wireless multiplex (MUX) sub-layer in a multimedia data transmitting system throughout the multiplex transmission method and system of Kurobe et al., as taught by Doshi et al, in order to provide a multiple service in different platforms, **the motivation being** to provide enhanced services of Kurobe et al. in both an ATM network and a wireless network.



b) **In Regarding to Claim 9:** The claimed subject matters disclosed in this claim are the same as that in the Claim 7. Therefore, the rejections in the Claim 7 would apply to this claim as an apparatus as taught.


***Examiner Information***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony T Ton whose telephone number is 703-305-8956. The examiner can normally be reached on M-F: 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W Olms can be reached on 703-305-4703. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ATT  
6/12/2004

  
Phirin Sam